

REMARKS

Claims 72-89 were pending in the present application. No claim amendments or cancellations are presented herein, hence claims 72-89 will be pending upon entry of the present amendment. No new matter has been added.

The Rejection of Claims 72-89 under 35 U.S.C. §102(e),**Should Be Withdrawn**

The Examiner rejected claims 72-89 under 35 U.S.C. §102(e), as being anticipated by Kapeller-Libermann *et al.* (US 2004/0058355). The Examiner states that “Kapeller-Libermann *et al.* disclose antibody against 21967 encoded protein LOR-2 (pages 66 and 102-105). The protein 21967 Lor-2 has 100% amino acid sequence identity to SEQ ID NO:11 and will inherently have the Lor-2 activity.”

Applicants respectfully traverse this rejection. Applicants note that the Kapeller-Libermann application cited by the Examiner (US 2004/0058355) and the current application are both owned by Millennium Pharmaceuticals, Inc. and both claim priority to the same priority applications which cover the subject matter being pursued in the current application. For example, as recited in the Related Application section on page 1 of the specification of the present application, the current application is a continuation of U.S. Application Serial No. 09/782,980, filed on February 13, 2001, now abandoned. U.S. Application Serial No. 09/782,980 is a continuation-in-part of PCT Application Serial No. PCT/US00/02125, filed January 27, 2000, now abandoned, which is a continuation-in-part of U.S. Patent Application Serial No. 09/448,076, filed November 23, 1999, now U.S. Patent No. 6,300,092, which is a continuation-in-part of U.S. Patent Application Serial No. 09/276,400, filed March 25, 1999, now U.S. Patent No. 6,140,056, which claims the benefit of U.S. Provisional Application Serial No. 60/117,580, filed January 27, 1999, now abandoned.

The Related Applications section on page 1 of US2004/0058355 also reads, in part, “The present application is also a continuation-in-part of U.S. Patent Application Serial No. 09/909,743, filed July 20, 2001 (abandoned), which is a divisional of U.S. Patent Application Serial No. 09/448,076, filed November 23, 1999, now U.S. Patent No. 6,300,092, which is a continuation-in-part of U.S. Patent Application Serial No. 09/276,400, filed March 25, 1999,

now U.S Patent No. 6,140,056, which claims the benefit of U.S. Provisional Application Serial No. 60/117,580, filed January 27, 1999 (abandoned).”

Therefore, in light of the fact that the current application and US2004/0058355 both claim priority to the same family of applications, Applicants respectfully submit that Kapeller-Libermann *et al.* cannot be an effective anticipatory reference to the present application. Withdrawal of the rejection of claims 72-89 under 35 USC §102(e) is thus respectfully requested.

CONCLUSIONS

In view of the remarks made herein, Applicants respectfully submit that the rejection presented by the Examiner is now overcome and that this application is in condition for allowance. If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned.

It is believed that this paper is being filed timely as a request for a one month extension of time is filed concurrently herewith. No additional extensions of time are required. In the event any additional extensions of time are necessary, the undersigned hereby authorizes the requisite fees to be charged to Deposit Account No. 501668.

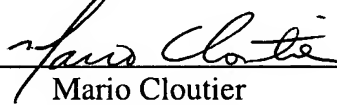
Entry of the remarks made herein is respectfully requested.

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Respectfully submitted,

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